

UNITED STATES DISTRICT COURT  
**SOUTHERN DISTRICT OF NEW YORK**

Commerce and Industry Plaintiff,  
 Insurance Company

- against -

U.S. Bank National Defendant.  
 Association

7 cv 05731 (JGK)

**MOTION TO ADMIT COUNSEL  
 PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the  
 Southern and Eastern Districts of New York, I, Charles E. Dorkey III a member in good standing of  
 the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: BARRY J. ARMSTRONG  
 Firm Name: McKenna Long & Aldridge LLP  
 Address: 303 Peachtree Street., Suite 5300  
 City/State/Zip: Atlanta, GA 30308  
 Phone Number: (404) 527-4372  
 Fax Number: (404) 527-4198

BARRY J. ARMSTRONG is a member in good standing of the Bar of the States of  
 GEORGIA

There are no pending disciplinary proceeding against BARRY J. ARMSTRONG  
 in any State or Federal court.

Dated: 10/29/2007  
 City, State: New York, New York

Respectfully submitted.

  
 Sponsor's  
 SDNY Bar (CD-8422)  
 Firm Name: McKenna Long & Aldridge LLP  
 Address: 230 Park Avenue, Suite 1700  
 City/State/Zip: New York, New York 10169  
 Phone Number: 212.905.8300  
 Fax Number: 212.922.1819

11/02/2007  
 2007MAY-2 11:11:08  
 S.D. OF NY  
 FILED  
 U.S. DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK



# STATE BAR OF GEORGIA

*Lawyers Serving the Public and the Justice System*

Mr. Barry J. Armstrong  
McKenna Long & Aldridge, LLP  
303 Peachtree St., Suite 5300  
Atlanta, GA 30308

**CURRENT STATUS:** Active Member-Good Standing

**DATE OF ADMISSION TO PRACTICE:** 06/05/1991

**Attorney Bar Number:** 022055

Today's Date: October 18, 2007

Listed below are the public disciplinary actions, if any, which have been taken against this member:

<b>State Disciplinary Board Docket #</b>	<b>Supreme Court Docket #</b>	<b>Disposition</b>
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

## STATE BAR OF GEORGIA

Official Representative of the State Bar of Georgia

### HEADQUARTERS

104 Marietta Street, Suite 100  
Atlanta, Georgia 30303  
(404) 527-8700 ■ (800) 334-6865  
FAX (404) 527-8717  
[www.gabar.org](http://www.gabar.org)

### SOUTH GEORGIA

244 E. Second Street (Zip 31794)  
P.O. Box 1390  
Tifton, Georgia 31793-1390  
(229) 387-0446 ■ (800) 330-0446  
FAX (229) 382-7435

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	x
COMMERCE AND INDUSTRY INSURANCE	:
COMPANY and AMERICAN	:
INTERNATIONAL SPECIALTY LINES	:
INSURANCE COMPANY.	:
Plaintiffs,	:
- vs.-	:
U.S. BANK NATIONAL ASSOCIATION, AS	:
INDENTURE TRUSTEE FOR THE	:
REGISTERED HOLDERS OF FMAC LOAN	:
RECEIVABLES TRUSTS 1997-B, 1998-B,	:
1998-C, 1998-D AND 2000-A,	:
Defendant.	:
-----	x

CHARLES E. DORKEY III, being duly sworn, hereby deposes and says as follows:

1. I am a partner at McKenna Long & Aldridge LLP, counsel for defendant in the above captioned action. I make this statement in support of the motion of defendant U.S. Bank National Association for the admission of Barry J. Armstrong to practice *pro hac vice* as counsel for defendant U.S. Bank National Association in the above-captioned case.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in October 6, 1975. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Barry J. Armstrong since April 2007.
4. Mr. Armstrong is a partner at McKenna Long & Aldridge LLP in Atlanta, GA.
5. I have found Mr. Armstrong to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Barry J. Armstrong, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Barry J. Armstrong, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Barry J. Armstrong, *pro hac vice*, to represent defendant in the above captioned matter, be granted.

Dated: October 29, 2007

Respectfully submitted,

McKENNA LONG & ALDRIDGE LLP

By \_\_\_\_\_

Charles E. Dorkey III (CD-8422)  
230 Park Avenue  
Suite 1700  
New York, NY 10169  
(212) 905-8330  
(212) 922-1819 (facsimile)

*ATTORNEYS FOR DEFENDANT*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

Commerce and Industry  
 Insurance Company Plaintiff,

7 cv 5731 (JGK)

- against -

U.S. Bank National  
 Association Defendant.

**ORDER FOR ADMISSION  
 PRO HAC VICE  
 ON WRITTEN MOTION**

Upon the motion of Charles E. Dorkey III attorney for U.S. Bank National Association and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: BARRY J. ARMSTRONG  
 Firm Name: McKenna Long & Aldridge LLP  
 Address: 303 Peachtree Street., Suite 5300  
 City/State/Zip: Atlanta, GA 30308  
 Telephone/Fax: (404) 527-4372  
 Email Address: barmstrong@mckennalong.com

is admitted to practice pro hac vice as counsel for U.S. Bank National Association in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
 City, State:

United States District/Magistrate Judge

10/31/07

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	x
COMMERCE AND INDUSTRY INSURANCE	:
COMPANY and AMERICAN	:
INTERNATIONAL SPECIALTY LINES	:
INSURANCE COMPANY,	:
Plaintiffs,	:
- vs.-	:
U.S. BANK NATIONAL ASSOCIATION, AS	:
INDENTURE TRUSTEE FOR THE	:
REGISTERED HOLDERS OF FMAC LOAN	:
RECEIVABLES TRUSTS 1997-B, 1998-B,	:
1998-C, 1998-D AND 2000-A.	:
Defendant.	:
-----	x

STATE OF NEW YORK )  
                         ) ss:  
COUNTY OF NEW YORK )

ROBERT GEE, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and is employed by McKenna Long & Aldridge LLP.

That on the 29<sup>th</sup> day of October, 2007, deponent served, by U.S. Mail, a true and correct copy of **Motion to Admit Counsel, Barry J. Armstrong, *Pro Hac Vice*; Affidavit of Charles E. Dorkey III in Support of Motion to Admit Counsel, Barry J. Armstrong, *Pro Hac Vice*; Proposed Order for Admission *Pro Hac Vice* on Written Motion** upon the following:

**Andrew Racca, Esq.**  
Steptoe & Johnson, LLP  
1330 Conneticut Ave, NW  
Washington, DC 20036

**Harry Lee, Esq.**  
Steptoe & Johnson, LLP  
1330 Conneticut Ave, NW  
Washington, DC 20036

**Roger E. Warin, Esq.**  
Steptoe & Johnson, LLP  
1330 Connecticut Ave, NW  
Washington, DC 20036

**Lara Elizabeth Romansic, Esq.**  
Steptoe & Johnson, LLP  
750 Seventh Avenue, Suite 1900  
New York, NY 10019

**Scott Davis, Esq.**  
Gardere Wynne Sewell LLP  
1601 Elm Street, Suite 3000  
Dallas, TX 75201

**David Timmins, Esq.**  
Gardere Wynne Sewell LLP  
1601 Elm Street, Suite 3000  
Dallas, TX 75201

the address designated by said attorneys for that purpose, by depositing the same enclosed in a postage pre-paid envelope in a post office official depository under the exclusive care and custody of the United States Postal service within the State of New York.

*Ralent*

Sworn to before me this  
29<sup>th</sup> day of October, 2007

*Joanne Sarlo*  
NOTARY PUBLIC

JOANNE SARLO  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01SA4831775  
Qualified in Kings County  
Commission Expires *3/31/2009*